(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 2226 OF 2001

PETITIONER : Dev Ram Lahare, S/o. Shri Dukhuram Aged about 38 years, & Sarpanch of Gram Panchayat Udela, R/o. Village Udela Post Bhawarpar Tah. Basna, Distt. Mahasamund.

P. R. No. 22/6/01
Presented by Shri S. C. Verma
dated 22/6/01

//VERSUS//

RESPONDENTS :

1. State of Chhattisgarh Through The Secretary, Panchayat & Gramin Vikas, Bhawan, Raipur.
2. The Collector, Mahasamund
3. The Sub-divisional Officer and Prescribed Officer, Raipur (Saraipali) District : Mahasamund.
4. The Naib Tahsildar (Presiding Officer)

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(40)

आदेश पत्रक

मामला क्रमांक WP No. 2226/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

06-01-2003

Shri S.C.Verma, counsel for the petitioner.

Shri Ranbir Singh, Govt. Adv. for the State.

Heard.

The petitioner has moved this writ petition against the issuance of a notice regarding holding of meeting for convening the 'no confidence motion' against him. The matter had came up before this Court initially on 09-11-2001, on which date an interim order of status quo was passed, which was to remain in operation till the next date of hearing. Subsequent thereto and this fact is not disputed, that meeting was convened in which 'no confidence motion' was passed and accordingly, the petitioner has been removed.

According to the learned counsel for the petitioner, since this petition was pending no dispute was raised before the Collector under Section 21-A (4) of M.P. Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 and as the petitioner was under an impression that those matters could also be agitated in this writ petition. However, this cannot be permitted, as the dispute, which also involves factual aspects, can only be raised before the Collector.

[पीछे देखिये

AVAILABLE AT :- J.G.P.C.O. & Copier's, Opp. High Court, Bilaspur ☎ 22206,29336

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

In the above view of the matter, the petitioner is permitted to withdraw this writ petition with liberty to raise a dispute before the Collector under Section 21-A (4) of M.P. Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 and in case such a dispute is raised on or before 24-01-2003, the Collector shall entertain it and dispose of on its own merits in accordance with law.

With the above observations & directions, the petition is disposed of as withdrawn. Consequently I.A. No.1290/2002 also stands disposed of.

Certified copy as per rules.

Sd/-
P.C.Naik
Judge

Roshan

GRPRJ—FS/311—1/2001—50,000.